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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: Lu et al.

Attorney Docket No.: CISCP251/121248

Application No.: 10/058,722

Examiner: Nguyen, Thuong

Filed: January 28, 2002

Group: 2455

Title: APPARATUS AND METHODS FOR  
RESTORING TRAFFIC DURING FAILOVER IN  
A CABLE HEAD END

Confirmation No.: 7898

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**CERTIFICATE OF EFS-WEB TRANSMISSION**

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on March 25, 2009.

Signed: /Chereyce Brown/  
Chereyce Brown

**NOTICE OF APPEAL**

Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed November 25, 2008, finally rejecting Claims 1-41.

The item(s) checked below are appropriate:

Appeal Fee:  \$270.00 (Small Entity)  \$540.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

<u>Months</u>	<u>Large Entity</u>	<u>Small Entity</u>
<input checked="" type="checkbox"/> one	\$130.00	\$ 65.00
<input type="checkbox"/> two	\$490.00	\$245.00
<input type="checkbox"/> three	\$1,110.00	\$555.00

If an additional extension of time is required, please consider this a petition therefor.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### Total Fee Due

**Notice of Appeal Fee** \$540.00  
**Extension Fee (if any)** \$130.00

Total Fee Due \$670.00

Enclosed is Check No.                          in the amount of \$ .

The Commissioner is authorized to charge the required fees, and/or any additional fees or credit any overpayment to Deposit Account No. 504480, (Order No. CISCP251).

Respectfully submitted,  
Weaver Austin Villeneuve & Sampson LLP

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